



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant: Sergey I. Chernysh et al.
Serial No: 10/585,715
Filed: July 11, 2006
For: ANTITUMORAL AND ANTIVIRAL PEPTIDES
Art Unit: Not Yet Assigned
Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed, except for (a) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120, and (b) copies of each cited U.S. patent and each U.S. patent application publication in accordance with the waiver of the requirement under 37 CFR 1.98(a)(2)(i) for submission of U.S. patent references in applications filed after June 30, 2003, as published in the Official Gazette Notice dated 5 August, 2003.

Serial No.: _____
Filing Date: _____

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

(a) A copy of each English language version of a search report (or EPO Search Report) indicating the degree of relevance found by the foreign office of each document being submitted from the search report, is being submitted herewith or has previously been submitted.

(b) Attached is a "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

(a) Within 3 months of the filing date or date of entry into the National Stage.

(b) Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988 for consideration of this Statement.

(c) Before the mailing date of a first Office Action on the merits after a first or second submission after final rejection under 37 C.F.R. 1.129(a).

(d) After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) The required certification is given below, or

(2) Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3) Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988

(e) After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p), or

(2) Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988.

4. Certification (if applicable)

(a) The undersigned hereby certifies that each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b) The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the undersigned's knowledge after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

By Heidi A. Boehlefeld
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CERTIFICATE OF MAILING OR ELECTRONIC TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents address above.

being transmitted via the USPTO Electronic Filing System.

Denise G. Bachtel
Denise G. Bachtel

October 24, 2006
Date

Form PTO-1449 (Modified)

**LIST OF PATENTS AND PUBLICATIONS
FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT**

OCT 30 2006

(Use several sheets if necessary)

Atty Docket No. Serial No.

SPSUP0100WOUS

10/585,715

Applicant:

Sergey I. Chernysh et al.

Filing Date

07/11/2006

Group

Not Yet Assigned

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date (MM/YYYY)	Name	Class	Sub-class	Filing Date if Appropriate
	5,231,081	07/1993	Stiefel et al.	514	6	
	5,773,572	06/1998	Fishleigh et al.	530	324	

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Sub-class	Translation	
						Yes	No
	96/13590	9 May 1996	WO				
	01/77687	18 Oct. 2001	WO				
	0 668 350 B1	28.07.2004	EP				
	197 41 607 A 1	1999-03-25	DE			Abstract	
	2 172 322 C1	2001-08-20	RU			Abstract	

OTHER ART

Examiner Initial	Author, Title, Date, Pertinent Pages, etc.
	N. I. Perevodchikova, Clinic Chemotherapy of Tumor Diseases - in Russian, Moscow: Medicine, 1979, Pages 100-103.
	Zee et al., J. Clin. Oncol., 1998, 16, 8, Pages 2834-2839.
	Aviles et al., Leuk. Lymphoma, 1998, 30, 5-6, Pages 651-656 (Abstract).
	Gilbert, Cancer, 1998, 83, 6, Pages 1205-1213.
	Rutledge, Chin and Schepartz. Current Opinion in Chemical Biology, 2002, 6, Pages 479-485.
	S.K. Narula, R. Cofman, eds., New Cytokines as Potential Drugs, Birkhauser Verlag, Basel, 2000, Pages 68-69 and 89-90.
	Chernysh et al., Proceedings of National Academy of Science, 2002, 99, Pages 12628-12632.
	Kourie, J.I., Chem. Biol. Interact., 2001, 138, 1-26.
	Taylor, S.C., Green, K.N., Smith, I.F. & Peers, C. Am. J. Physiol. Cell Physiol., 2001, 281, 1850-1857.
	Mabbott, N.A., Brown, K.L., Manson, J. & Bruce, M.E., Immunology, 1997, 92, Pages 161-165.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Information Disclosure Statement PTO-1449 (Modified)

The identification of any reference is not intended to be, and should not be understood as being, an admission that such publication, in fact, constitutes "prior art" within the meaning of applicable law since, for example, a given reference may have a later effective date than first seems apparent or the reference may have an effective date which can be antedated. The "prior art" status of any reference is a matter to be resolved during prosecution.